

REMARKS

A telephonic interview between Examiner Epperson and practitioners Robert Goetz and Mary Ann Brow was conducted on May XXX, 2008. All pending claims were discussed. Applicants discussed support for the claim elements and proposed claim amendments in Australian Patent PP7372. No agreement was reached. Applicants thank the Examiner for his time in discussing this matter.

In the Office Action mailed November 16, 2007, the Examiner made a number of objections and rejections that for clarity are listed below in the order in which they are addressed herein:

- I. The Examiner objected to the Applicants' foreign priority claim to Australian Patent PP7372;
- II. Claims 15-29, 63 and 64 stand rejected under 35 U.S.C. §112(2) as allegedly being indefinite; and
- III. Claims 15-29, 63 and 64 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 7,225,082 to Natan, *et al.*, (hereinafter, "Natan").

I. Objection to the Applicants' Foreign Priority Claim

The Examiner stated, "Australian Patent PP7372 (referred herein as '372) filed 11/30/1998 fails to provide adequate support under 35 U.S.C. §112 for the currently claimed invention. Therefore the filing date of the instant application is deemed to be the filing date of PCT/AU99/01065, *November 30, 1999*." Office Action dated 16 November 2007, pages 2-3.

For business reasons and without acquiescing to the Examiner's arguments, and reserving the right to prosecute the original or similar claims in one or more future applications, in order to expedite prosecution, Claims 16 and 64 are cancelled and Claims 15, 17-21, 23, 26-28 are amended to clarify the basis of support found in Australian Patent PP7372 filed 11/30/1998. Applicants request recognition of the Applicants' foreign priority claim to Australian Patent PP7372. For the Examiner's convenience, page and line number support within the Australian Patent PP7372 for a number of claim

elements is provided below. The Applicants reserve the right to prosecute previously presented Claims 15-21, 23, 26-28, and 63-64, or similar claims, at a future date.

A. Claim 15 – "...70% of the plurality of carriers..."

Regarding Claim 15, the Examiner stated, the "'372 fails to provide support for the limitation wherein 'the population of detectably distinct carriers constitutes about 70% of the plurality of carriers' as disclosed in independent claim 15." Office Action dated 16 November 2007, page 3. The Applicants respectfully disagree. However, in order to expedite prosecution, Claim 15 is amended such it no longer recites, "...the population of detectably distinct carriers constitutes about 70% of the plurality of carriers..."

B. Claim 15 – "...quantifiable attributes..."

Regarding Claim 15, the Examiner stated, "'372 fails to provide support for the 'quantifiable' attributes." Office Action dated 16 November 2007, page 3. The Applicants respectfully disagree. However, in order to expedite prosecution, Claim 15 is amended such that it no longer recites, "quantifiable."

C. Claim 15 – "...wherein individual carriers comprise all the attributes that define a corresponding code before commencing synthesis of a respective compound thereon..."

Regarding Claim 15, the Examiner stated, "'372 application also fails to disclose a carriers that comprise all the attributes that define a code before commencing synthesis..." Office Action dated 16 November 2007, page 3. The Applicants respectfully disagree and submit that this claim element is clearly supported in Australian Patent PP7372.

The Examiner is directed to Australian Patent PP7372 at, for example, page 29, line 1 through page 30, line 15. In particular, this passage recites a method for synthesizing a combinatorial library partitioned into six steps (a-f), wherein step (a) comprises suspending a plurality of carriers in a fluid, wherein each carrier "has a unique code characterized by a combination of at least two features detectable during synthesis of a respective compound." The suspended carriers are then divided and segregated

(steps b, and c) *prior to* commencement of compound synthesis (steps d, e and f). Thus, the carriers described on page 29-30 "comprise all the attributes that define a code before commencing synthesis" and this aspect this aspect of Claim 15 is clearly supported by Australian Patent PP7372.

D. Claim 15 – "...wherein each carrier is covalently coupled to a synthon suitable for use in combinatorial synthesis..."

Regarding Claim 15, the Examiner stated, "372 application also fails to disclose...carriers that are covalently coupled to a synthon suitable for use in combinatorial synthesis" Office Action dated 16 November 2007, page 3. The Applicants respectfully disagree. This claim element is clearly supported in Australian Patent PP7372.

Australian Patent PP7372 describes, for example, the synthesis of compounds through combinatorial technologies involving synthons. The Examiner is directed, for example, to page 2, lines 13 through 15 wherein PP7372 recites: "Recently, there has been substantial interest in devising facile combinatorial technologies to synthesize molecular libraries of immense diversity." "Combinatorial technologies" are further described at page 2, lines 20 through 24 wherein it is recited, "In essence, combinatorial technologies are predicated on systemic assembly of a collection of chemical building blocks or synthons in many combinations using chemical, biological or biosynthetic procedures." Numerous examples of synthons that may be utilized in combinatorial synthesis are provided (see, e.g., page 4, lines 4-9, reciting amino acids, nucleotides, sugars, lipids, heterocyclic compounds, naturally-occurring synthons, synthetic synthons, combined naturally occurring / synthetic synthons; see, also, page 21, lines 15-21, reciting, "synthons may include amino acids, carbonates, sulfones, sulfoxides, nucleosides, carbohydrates, ureas, phosphonates, lipids, esters or combinations thereof. Alternatively, the synthons may comprise inorganic units such as for example silicates and aluminosilicates."). Various combinatorial technologies predicated the concept of synthon assemblies are described in detail (e.g., "split-process-recombine" and "split synthesis" at page 3, line 10 through page 4, line 9). In particular, the concept of

coupling a synthon to a carrier as a starting material for combinatorial synthesis is described in detail (see, e.g., page 3, line 19 through page 4, line 1).

As such, the concept of "...wherein each carrier is covalently coupled to a synthon suitable for use in combinatorial synthesis..." as recited in Claim 15 is clearly described in Australian Patent PP7372.

E. Claim 16 – "...wherein at least one of said attributes of a respective carrier is comprised within or internally of the carrier..."

For business reasons and without acquiescing to the Examiner's arguments, and reserving the right to prosecute the original or similar claims in one or more future applications, and order to expedite prosecution, Claim 16 is cancelled.

F. Claim 17 – "...wherein at least one of said attributes of a respective carrier is an electromagnetic radiation-related attribute."

Regarding Claim 17, the Examiner stated, "The '372 application also fails to disclose the genus of electromagnetic radiation related attributes as set forth in claim 17." Office Action dated 16 November 2007, page 3. The Applicants respectfully disagree. However, in order to expedite prosecution, Claim 17 is amended such that it no longer recites, "...wherein at least one of said attributes of a respective carrier is an electromagnetic radiation-related attribute..."

Claim 17 as currently amended recites, "...wherein at least one of said features of a respective carrier is selected from the group consisting of a light emanating feature, a light absorbing feature, a radioactive feature, a magnetic feature, and a metallic feature." Claim 17 as currently amended is supported by Australian Patent PP7372. For example, the Examiner is directed to page 13, lines 13 through 25, reciting, "...the invention provides a plurality of carriers,...wherein substantially each carrier has a unique code characterized by a combination of at least two features integrally associated with the carrier, and wherein said features are detectable during synthesis of a respective compound..." "Features" are described as "light emanating or light absorbing feature" at page 13, lines 20-25 and page 14, lines 5-22. "Features" are also described as "...radioactive, magnetic, metallic..." at page 18, lines 17-19.

As such, Claim 17 as currently amended is supported by the priority Australian Patent PP7372.

G. Claim 18 – "...wherein the electromagnetic radiation-related attribute is selected from the group consisting of fluorescence emission, luminescence, phosphorescence, infrared radiation, electromagnetic scattering including light and X-ray scattering, light transmittance, light absorbance and electrical impedance."

Regarding Claim 18, the Examiner stated, "The '372 application also fails to provide support for the light transmittance and electrical impedance as set forth in claim 18." Office Action dated 16 November 2007, page 3. The Applicants respectfully disagree. However, in order to expedite prosecution, Claim 18 is amended such that it no longer recites, "...wherein the electromagnetic radiation-related attribute is selected from the group consisting of fluorescence emission, luminescence, phosphorescence, infrared radiation, electromagnetic scattering including light and X-ray scattering, light transmittance, light absorbance and electrical impedance."

Claim 18 as currently amended recites, "...wherein said light emanating feature is selected from the group consisting of light scattering, luminescence, phosphorescence, atomic fluorescence emission, and molecular fluorescence emission." Claim 18 as amended is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. "Features" are described as "light emanating or light absorbing feature" at page 13, lines 20-25 and page 14, lines 5-22. "Light emanating features" are also described as light scattering, luminescence, phosphorescence, atomic fluorescence emission, and molecular fluorescence emission at page 14, lines 7-9.

As such, Claim 18 as amended is supported by Australian Patent PP7372.

H. Claim 19 – "...wherein the electromagnetic radiation-related attribute is a light emitting, light transmitting or light absorbing attribute detectable by illuminating the carrier with incident light of one or more selected wavelengths or of one or more selected vectors."

Regarding Claim 19, the Examiner stated, "The '372 application also fails to provide support for light emitting and light transmitting attributes set forth in claim 19." Office Action dated 16 November 2007, page 3. The Applicants respectfully disagree. However, in order to expedite prosecution, Claim 19 is amended such that it no longer recites, "...wherein the electromagnetic radiation-related attribute is a light emitting, light transmitting or light absorbing attribute detectable by illuminating the carrier with incident light of one or more selected wavelengths or of one or more selected vectors."

Claim 19 as amended recites, "...wherein the feature is selected from the group consisting of a light emanating feature and a light absorbing feature, wherein said feature is detectable by illuminating the carrier with incident light of one or more selected wavelengths or of one or more selected vectors." Claim 19 as amended is supported by Australian Patent PP7372. For example, the Examiner is directed to page 13, lines 13 through 25, wherein it recites, "...the invention provides a plurality of carriers,...wherein substantially each carrier has a unique code characterized by a combination of at least two features integrally associated with the carrier, and wherein said features are detectable during synthesis of a respective compound, and wherein one or more of said at least two features is a light emanating or light absorbing feature detectable by illuminating a respective carrier with incident light of one or more selected wavelengths or of one or more selected vectors."

As such, Claim 19 is supported by Australian Patent PP7372.

I. Claim 20 – "... wherein a respective carrier has at least three detectable and/or quantifiable attributes integrally associated therewith."

In order to expedite prosecution, Claim 20 is amended such that the phrase, "and/or quantifiable attributes" is removed.

Claim 20 as amended recites, "...wherein a respective carrier has at least three detectable features integrally associated therewith." Claim 20 as amended is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. The phrase "...at least two features...", is further described in the following manner: "Suitably, the step of detecting is further characterized in that at *least three*,

preferably at least four, more preferably at least five and most preferably at least six different features of a respective carrier are detected for code recordal." Page 28, lines 8-14.

As such, Claim 20 is supported by Australian Patent PP7372.

J. Claim 21 - ...wherein the electromagnetic radiation-related attribute of a respective carrier is fluorescence and said carrier comprises a fluorescent dye."

In order to expedite prosecution, Claim 21 is amended such that it no longer recites, "...wherein the electromagnetic radiation-related attribute of a respective carrier is fluorescence and said carrier comprises a fluorescent dye."

Claim 21 as currently amended recites, "...wherein the feature of a respective carrier is fluorescence and said carrier comprises a fluorescent dye." Claim 21 as amended is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. "Features" are described as "light emanating" at page 13, lines 20-25 and page 14, lines 5-22, and "molecular fluorescence emission" is provided as an example of a "light emanating feature" at page 14, lines 7-9. Regarding "molecular fluorescence emission," Australian Patent PP7372 recites, "fluorescence emission may result from excitation of *one or more fluorescent tags attached to the carrier...*the tags may be the same wherein the tags contain varying amounts of a fluorophore...*Preferably fluorescent dyes are employed.*" Page 15, lines 4-18.

As such, Claim 21 as amended is supported by Australian Patent PP7372.

K. Claim 22 - "...wherein each carrier is a colloidal particle."

Claim 22 is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. "Carriers" are further described as, for example, "...insoluble polymer beads (*colloidal particles, typically 1-1000 nm in diameter*) may be used as the carriers..." Page 33, lines 5-9.

As such, Claim 22 is sufficiently described in Australian Patent PP7372.

L. Claim 23 – "...wherein the carriers have different shapes selected from the group consisting of spheres, cubes, rectangular prisms, pyramids, cones, ovoids, sheets or cylinders."

In order to expedite prosecution, Claim 23 is amended such that it no longer recites, "...wherein the carriers have different shapes selected from the group consisting of spheres, cubes, rectangular prisms, pyramids, cones, ovoids, sheets or cylinders."

Claim 23 as currently amended recites, "...wherein at least one of said features is incorporated into one or more microparticles." Claim 23 as amended is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. "Features" are described as "light emanating" at page 13, lines 20-25 and page 14, lines 5-22, and "molecular fluorescence emission" is provided as an example of a "light emanating feature" at page 14, lines 7-9. Regarding "molecular fluorescence emission," Australian Patent PP7372 recites, "fluorescence emission may result from excitation of one or more fluorescent tags attached to the carrier...the tags may be the same wherein the tags contain varying amounts of a fluorophore...Preferably fluorescent dyes are employed." Page 15, lines 4-18. Regarding fluorescent dyes, Australian Patent PP7372 recites, "One or more of the fluorescent dyes are preferably *incorporated into a microparticle*, such as a polymeric microparticle or ceramic microparticle." Page 16, lines 5-7.

As such, Claim 23 as amended is supported by Australian Patent PP7372.

M. Claim 24 – "...wherein the carriers have different forms selected from the group consisting of pellet, disc, capillary, hollow fiber, needle, pin and chip."

Claim 24 is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. "Carriers" are further described in the following manner: "The carriers may comprise any solid material capable of providing a base for combinatorial synthesis. For example, the carriers may be polymeric supports such as polymeric beads..." Page 18, lines 20-23. Moreover, "carriers" are further described in the following manner: "...the polymeric beads may be replaced by other

suitable supports *such as pins or chips* as is known in the art...*The beads may also comprise pellets, discs, capillaries, hollow fibers or needles* as is known in the art." Page 20, lines 1-6.

As such, Claim 24 is described in Australian Patent PP7372.

N. Claim 25 – "...wherein the carriers have different sizes."

Claim 25 is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. "Carriers" are further described in the following manner: "The carriers may have any suitable size or shape." Page 20, lines 19-20.

As such, Claim 25 is sufficiently described in Australian Patent PP7372.

O. Claim 26 – "The plurality of carriers of claim 22, wherein the colloidal particle is a polymeric or ceramic particle."

In order to expedite prosecution, Claim 26 is amended such that it no longer recites, "The plurality of carriers of claim 22, wherein the colloidal particle is a polymeric or ceramic particle."

Claim 26 as currently amended recites, "The plurality of carriers of claim 23, wherein said one or more microparticles comprise a microparticle selected from the group consisting of a polymeric microparticle and a ceramic microparticle." Claim 26 as amended is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. "Features" are described as "light emanating" at page 13, lines 20-25 and page 14, lines 5-22, and "molecular fluorescence emission" is provided as an example of a "light emanating feature" at page 14, lines 7-9. Regarding "molecular fluorescence emission," Australian Patent PP7372 recites, "fluorescence emission may result from Australian Patent PP7372 recites, "One or more of the fluorescent dyes are preferably incorporated into a microparticle, *such as a polymeric microparticle or ceramic microparticle.*" Page 16, lines 5-7.

As such, Claim 26 as amended is supported by Australian Patent PP7372.

P. Claim 27 – "The plurality of carriers of claim 26, wherein the ceramic particle is a silica particle."

In order to expedite prosecution, Claim 27 is amended such that it no longer recites, "The plurality of carriers of claim 26, wherein the ceramic particle is a silica particle."

Claim 27 as currently amended recites, "The plurality of carriers of claim 26, wherein the ceramic microparticle is a silica microparticle." Claim 27 as amended is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. "Features" are described as "light emanating" at page 13, lines 20-25 and page 14, lines 5-22, and "molecular fluorescence emission" is provided as an example of a "light emanating feature" at page 14, lines 7-9. Regarding "molecular fluorescence emission," Australian Patent PP7372 recites, "fluorescence emission may result from Australian Patent PP7372 recites, "One or more of the fluorescent dyes are preferably incorporated into a *microparticle*, such as a polymeric microparticle or ceramic microparticle." Page 16, lines 5-7. Regarding ceramic microparticles, Australian Patent PP7372 recites, "*Ceramic microparticles may be comprised of silica...*" Page 16, line 26 through page 17, line 1.

As such, Claim 27 as amended is supported by Australian Patent PP7372.

Q. Claim 28 – "...wherein the carriers comprise ceramic particles with different diameters selected from about 0.01 μm to about 150 μm ."

In order to expedite prosecution, Claim 28 is amended such that it no longer recites, "...wherein the carriers comprise ceramic particles with different diameters selected from about 0.01 μm to about 150 μm ."

Claim 28 as currently amended recites, "...said one or more microparticles comprises a microparticle of from about 0.01 μm to about 50 μm in diameter." Claim 28 as amended is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a

combination of at least two features. "Features" are described as "light emanating" at page 13, lines 20-25 and page 14, lines 5-22, and "molecular fluorescence emission" is provided as an example of a "light emanating feature" at page 14, lines 7-9. Regarding "molecular fluorescence emission," Australian Patent PP7372 recites, "fluorescence emission may result from Australian Patent PP7372 recites, "One or more of the fluorescent dyes are preferably incorporated into a microparticle, such as a polymeric microparticle or ceramic microparticle." Page 16, lines 5-7. Regarding the size of microparticles, Australian Patent PP7372 recites, "*Typically, microparticles which may be used in the present invention have a diameter of about 0.01 μm to about 50 μm .*" Page 17, lines 12-14.

As such, Claim 28 as amended is supported by Australian Patent PP7372.

R. Claim 29 – "...wherein a respective carrier comprises functionalities selected from the group consisting of -NH₂, -COOH, -SOH, -SSH and sulfate."

Claim 29 is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. "Carriers" are further described in the following manner: "These carrier materials will usually contain functionalities or be able to be functionalized for attachment of reporter beads or linkers. *Suitable functionalities include -NH₂, -COOH, -SOH, -SSH or sulfate groups.*" Page 19, lines 21-25.

As such, Claim 29 is supported by Australian Patent PP7372.

S. Claim 63 – "The plurality of carriers according to claim 15, wherein said synthons are coupled to said carriers by a linker."

In order to expedite prosecution, Claim 63 is amended such that it no longer recites, "The plurality of carriers according to claim 15, wherein said synthons are coupled to said carriers by a linker."

Claim 63 as currently amended recites, "The plurality of carriers according to claim 29, wherein one or more of said functionalities are attached to a linker." Claim 63

as amended is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. "Carriers" are further described in the following manner: "These carrier materials will usually contain functionalities or be able to be functionalized for attachment of reporter beads or linkers." Page 19, lines 21-24.

As such, Claim 63as amended is supported by Australian Patent PP7372.

T. Claim 64 - "The plurality of carriers according to claim 21, wherein said synthons are coupled to said carriers by a linker."

In order to expedite prosecution, Claim 64 is cancelled.

U. New Claim 65 – "The plurality of carriers of claim 23, wherein said one or more microparticles comprises a microparticle having a shape selected from the group consisting of a sphere, a cube, a rectangular prism, a pyramid, a cone, an ovoid, a sheet, and a cylinder."

New Claim 65 is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. "Features" are described as "light emanating" at page 13, lines 20-25 and page 14, lines 5-22, and "molecular fluorescence emission" is provided as an example of a "light emanating feature" at page 14, lines 7-9. Regarding "molecular fluorescence emission," Australian Patent PP7372 recites, "fluorescence emission may result from excitation of one or more fluorescent tags attached to the carrier...the tags may be the same wherein the tags contain varying amounts of a fluorophore...Preferably fluorescent dyes are employed." Page 15, lines 4-18. Regarding fluorescent dyes, Australian Patent PP7372 recites, "One or more of the fluorescent dyes are preferably incorporated into a microparticle, such as a polymeric microparticle or ceramic microparticle." Page 16, lines 5-7. Regarding "microparticles," Australian Patent PP7372 recites, "The microparticles may be of any suitable size or shape. For example, *the microparticles may be shaped in the form of spheres, cubes, rectangular prisms, pyramids, cones, ovoids, sheets or cylinders.*" Page 17, lines 8-11.

As such, new Claim 65 is supported by Australian Patent PP7372.

V. New Claim 66 – "The plurality of carriers of claim 23, wherein said one or more microparticles comprises a microparticle attached to said carrier through colloidal interaction."

New Claim 66 is supported by Australian Patent PP7372. As discussed above for Claim 17, the priority application discloses a plurality of carriers having unique codes comprising a combination of at least two features. "Features" are described as "light emanating" at page 13, lines 20-25 and page 14, lines 5-22, and "molecular fluorescence emission" is provided as an example of a "light emanating feature" at page 14, lines 7-9. Regarding "molecular fluorescence emission," Australian Patent PP7372 recites, "fluorescence emission may result from excitation of one or more fluorescent tags attached to the carrier...the tags may be the same wherein the tags contain varying amounts of a fluorophore...Preferably fluorescent dyes are employed." Page 15, lines 4-18. Regarding fluorescent dyes, Australian Patent PP7372 recites, "One or more of the fluorescent dyes are preferably incorporated into a microparticle, such as a polymeric microparticle or ceramic microparticle." Page 16, lines 5-7. Regarding "microparticle," Australian Patent PP7372 recites: "*Such microparticles may be attached to the carrier by use of colloidal interactions...*" Page 16, lines 8-9, citing Trau and Bryant, International Application PCT/AU98/00944. Applicants note that PCT/AU98/00944 entered the U.S., as Appl. Ser. No. 09/554,376, as issued on March 4, 2008 as US Pat. No. 7,338,768.

As such, new Claim 66 is supported by Australian Patent PP7372.

For the reasons recited above in sections A through V, Applicant submit that all claims as currently presented are fully supported by priority Australian Patent PP7372, and are entitled to the filing date thereof.

II. Rejection of Claims 15-29, 63 and 64 under 35 U.S.C. §112(2) – Indefiniteness

The Examiner stated, "for claim 15, the phrase 'wherein said plurality of carriers comprises a plurality of synthons' is vague and indefinite." Office Action dated 16 November 2007, page 4. This rejection is rendered moot by the current amendment of

Claim 15 such that it no longer recites, "...wherein said plurality of carriers comprises a plurality of synthons."

III. Rejection of Claims 15-29, 63 and 64 under 35 U.S.C. §102(e)

Claims 15-29, 63 and 64 were rejected under 35 U.S.C. §102(e) as being anticipated by the Natan patent. As described in Section I, the Claims 15-29, 63 and 64 as currently amended are supported in Australian Patent No. PP7372 and, as such, are entitled to corresponding priority date of 30 November 1998. As the claimed priority date for the Natan patent of 01 October 1999 is after the priority date of 30 November 1998 for the currently presented Claims 15-29, 63 and 64, the Natan patent is not prior art against the currently claimed invention. The Applicants request withdrawal of these rejections.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all grounds for rejection have been addressed and Applicant's claims should be passed to allowance. Should the Examiner believe that a telephone interview would aid in the prosecution of this application, Applicants encourages the Examiner to call the undersigned collect at (608) 218-6900.

Dated: May 15, 2008

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